

REMARKS

Claims 1-7 and 9-12 are pending in this application.

By this Amendment, the specification is amended to address the objections thereto, claims 1, 3, 6, 10 and 11 are amended to address the rejection under 35 U.S.C. §112, second paragraph, and claim 1 is further amended to include language from allowable claim 8 therein (and claim 8 is canceled).

I. Objection to the Disclosure

The disclosure was objected to with respect to typographical errors and the failure to capitalize trademark/trade names. The typographical error noted on page 41 of the specification has been corrected by this Amendment. A review of the specification did not reveal any additional obvious typographical errors. Further, all trade names identified in the specification have been revised to be capitalized.

In view of the foregoing amendments to the specification, reconsideration and withdrawal of the objection are respectfully requested.

II. Rejection Under 35 U.S.C. §112, Second Paragraph

Claims 1-12 were rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite. This rejection is respectfully traversed.

Claims 1 and 10 were rejected for the use of the word "kind" in the phrase "polymerizing at least one kind of polymerization monomers having vinyl double bonds." By this Amendment, these claims have been amended so as to eliminate the use of the word "kind."

Claim 3 was rejected for allegedly not clearly indicating whether the heat-curable resin may comprise only one of the listed resins or a combination of the listed resins. By this Amendment, the original phrasing of claim 3 has been replaced with Markush language.

Claim 6 was rejected for allegedly being indefinite in reciting "simple" substances. By this Amendment, claim 6, as well as the specification, has been amended to replace "simple" substances with "single" substances so as to be consistent with the specification at page 39, lines 21-23.

Claim 11 was rejected for allegedly not specifying the basis of the weight percentage. By this Amendment, claim 11 has been amended to specify that the percentage is based upon the total weight of the toner.

In view of the foregoing amendments, Applicants respectfully submit that all of the claims now fully comply with the requirements of 35 U.S.C. §112, second paragraph. Reconsideration and withdrawal of this rejection are respectfully requested.

III. Claim Objection

Claim 3 was objected to for a typographical error appearing therein. By this Amendment, the typographical error has been eliminated. Accordingly, reconsideration and withdrawal of the objection are respectfully requested.

IV. Allowable Subject Matter

Applicants note with appreciation the indication in the Office Action that claims 3, 5, 8 and 9 contained allowable subject matter. By this Amendment, claim 1 has been amended to include the allowable subject matter of claim 8.

V. Rejections Under 35 U.S.C. §103(a)

A. Claims 1, 2, 4, 7 and 10-12

Claims 1, 2, 4, 7 and 10-12 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,968,701 (Onuma) in view of U.S. Patent No. 5,501,881 (Fuller). This rejection is respectfully traversed.

As was discussed above, claim 1 has been amended to include the allowable subject matter of claim 8, which original claim 8 was not rejected relying upon Onuma in view of Fuller.

Accordingly, Applicants respectfully submit that in view of the amendments to the claims, this rejection is now moot. Reconsideration and withdrawal of this rejection are respectfully requested.

B. Claim 6

Claim 6 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Onuma in view of Fuller, and further in view of U.S. Patent No. 5,066,558 (Hitake). This rejection is respectfully traversed.

As was discussed immediately above, claim 1 has been amended to include the allowable subject matter of original claim 8.

In view of the amendments to the claims, Applicants respectfully submit that this rejection is now moot. Reconsideration and withdrawal of this rejection are thus respectfully requested.

VI. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-7 and 9-12 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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